

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: JOINT MEETING - PUBLIC WORKS & PUBLIC SAFETY

DATE: JULY 1, 2008

PUBLIC WORKS

COMMITTEE MEMBERS PRESENT:

SUPERVISORS BELDEN
 BENTLEY
 TESSIER
 CHAMPAGNE
 TAYLOR
 GOODSPEED

COMMITTEE MEMBERS ABSENT:

SUPERVISOR STEC
 MERLINO
 HASKELL

PUBLIC SAFETY

COMMITTEE MEMBERS PRESENT:

SUPERVISORS VANNESS

COMMITTEE MEMBERS ABSENT:

SUPERVISOR O'CONNOR
 GIRARD

OTHERS PRESENT:

WILLIAM LAMY, SUPERINTENDENT OF PUBLIC WORKS
MARV LEMERY, FIRE COORDINATOR AND DIRECTOR OF
 THE OFFICE OF EMERGENCY SERVICES
DON DEGRAW, MANAGER OF THE FLOYD BENNETT
 MEMORIAL AIRPORT
FREDERICK MONROE, CHAIRMAN
PATRICIA NENNINGER, SECOND ASSISTANT COUNTY
 ATTORNEY

HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE &
 FISCAL SERVICES
NICOLE LIVINGSTON, DEPUTY CLERK OF THE BOARD
SUPERVISORS GERAGHTY
 STRAINER
 THOMAS

BUD YORK, SHERIFF
CHARLENE DIRESTA, LEGISLATIVE OFFICE SPECIALIST
JIM CLARKE, THE LABERGE GROUP
CHARLES MELLON, CO-CHAIRMAN OF THE WARREN &
 WASHINGTON COUNTIES EMERGENCY
 SERVICES TRAINING CENTER COMMITTEE

*PLEASE SEE ATTACHED SIGN-IN SHEET FOR ALL OTHER
GUESTS PRESENT*

Mr. VanNess called the joint meeting of the Public Safety and Public Works Committees to order at 1:30 p.m. Chairman Monroe provided a quorum of the Public Safety Committee.

Mr. Belden stated that William Lamy, Superintendent of the Department of Public Works (DPW) had a resolution request for approval by the Public Works Committee. Mr. Lamy requested authorization for the Chairman of the Board to approve Just Compensation adjustments of \$500 or less for Right-of-Way acquisitions. He added that this was necessary for Federal Aid highway and bridge projects. He explained that sometimes the appraisals were adjusted after the Just Compensation amount had already been approved.

Motion was made by Mr. Bentley, seconded by Mr. Taylor and carried unanimously to authorize the Chairman of the Board to approve Just Compensation adjustments of \$500 or less for Right-of-Way acquisitions. *A copy*

of the resolution request form is on file with the minutes and the necessary resolution was authorized for the July 18, 2008 Board meeting.

Mr. VanNess apprised that there had been extensive discussion at the Public Works Committee meeting with regards to the possible location of the Emergency Services Training Center (ESTC). He added that there had been concerns about restricting the future expansion of the Warren County Airport, as well as concerns pertaining to any FAA (Federal Aviation Administration) regulations.

Mr. VanNess thanked all of the local Firefighters for attending the meeting to show their support of the ESTC. He also thanked the Warren County Attorney's Office for all of the hard work that has been completed pertaining to the proposed ESTC.

Trish Nenninger, Second Assistant County Attorney, apprised that the proposed ESTC was to be constructed on two parcels of land that was currently designated by resolution as Airport property. She said that there had been a request for the Warren County Attorney's Office to contact the FAA. She added that they had received a response from the FAA, who had verified that the parcels of land were not designated as airport land and no release was required from the FAA. She noted that the FAA had no role in the approval of construction of the ESTC on the proposed parcel of land.

Mrs. Nenninger advised that the only requirements of the FAA were their typical grant assurances which are, as follows:

- ▶ that construction of the facility would not affect and/or interfere with normal airport operations; and
- ▶ that any activities or purposes would be compatible with normal airport operations, including takeoff and landing of the aircrafts.

Mrs. Nenninger stated that Warren County would not be required to endure a long process that would require fair market value considerations. She added that they would also not be required to obtain approval from the FAA for the actual facility mapping. She said that they would go through the basic airport approval process that the FAA had for any vicinity. She apprised that the next step would be for the Public Works Committee to consider the future impact on the Airport and confirm that construction of the facility would not interfere with normal airport operations.

Don DeGraw, Airport Manager, said that he had reviewed that Airport Master Plan, which was a 20-year planning document for the Airport. He advised that given the information that was available at this time, the construction of the ESTC would not interfere with normal Airport operations. He said that he had spoken to a consultant and had been informed that the Airport runway could extend up to a length of 7,300 feet to the south. He added that the runway was currently

5,000 feet and therefore, could be extended an additional 2,300 feet. He stated that the 20-year Master Plan only called for a 1,000 foot extension. He advised that the construction of the ESTC would have no significant impact on the Airport in the next 20 years.

Mr. VanNess advised that they had answered all of the questions that had been asked by the Public Works Committee and asked if there were any further questions. Chairman Monroe questioned if there were aircrafts that required more than 7,300 feet of runway in order to take off or land and Mr. DeGraw responded that there were certain airplanes, weather conditions or weight loads that would be unable to take off on a runway of 7,300 feet. Mr. DeGraw added that the longer a runway an airport had, the more utility it had. Mr. VanNess said that the question had been asked previously as to which aircrafts could and could not land at the Airport. They had been advised, he continued, that a 727 could land at the Airport but would be unable to take off unless they had a ½ tank of fuel or less. He advised that the Airport runway was sufficient to accommodate the needs of any commercial jets. Mr. DeGraw reiterated that the Airport currently had a 5,000 foot runway which, he advised, was the bare minimum. He added that the Airport was in desperate need of an additional 1,000 feet of runway. Mr. VanNess expounded that once the Airport extended the runway an additional 1,000 feet, there would still be the possibility of extending it further for another 1,300 feet.

Mr. Bentley questioned if the next step would be a resolution to move forward with the construction of the ESTC and Mr. VanNess responded that there was a resolution in place to move forward with the construction; however, he added, the resolution contained fatal flaw clauses.

Mrs. Nenninger stated that Resolution No. 337 of 2002 had designated some parcels for Airport purposes and to be considered part of the Airport. She added that the parcels had been obtained through the property tax foreclosure process. She said that there had been discussions pertaining to amending the resolution to remove the two necessary parcels from designation as Airport property in order to proceed with the construction of the facility. She explained that although the FAA did not consider the parcels to be Airport property because they were not included in the ALP (Airport Layout Plan), Warren County had designated the parcels as such which could cause possible future problems with the FAA. She noted that the facility would be jointly owned by Washington and Warren Counties. She added that the County could re-designate the parcels by amending the resolution to remove the two parcels, subject to the actual and final approval of the site. She noted that there were several contingencies on the site approval. She added that if the parcels were determined to be suitable and construction was undertaken, then Warren County would need to amend Resolution No. 337 of 2002 to re-designate the use of the parcels.

Mr. VanNess stated that the resolution would give Warren County the authority to move forward with the fatal flaw studies and once it was determined that no further fatal flaws were in existence, the use of the parcels would automatically be re-designated. He said that this would allow Warren County to enter into an inter-municipal agreement with Washington County as joint owners of the ESTC.

Mr. Belden asked how many acres of property were in question and Mr. VanNess responded that the parcels totaled 32 or 33 acres. Mr. Belden questioned if Warren County had incurred the expense of the studies that had been completed and Mr. VanNess responded that all of the expenses had been deducted from the capital projects which had been established by both counties. Mr. Belden questioned if both counties would split the expenses incurred by the ESTC in the future and Mr. VanNess replied affirmatively.

Motion was made by Mr. Bentley and seconded by Mr. Champagne to amend Resolution No. 337 of 2002, removing tax map parcels 303.16-1-1 and 303.12-1-1 in the Town of Queensbury from the list of parcels designated as set aside for Airport purposes and considered part of the Airport, subject to final approval of the parcels as the site for the Emergency Services Training Center.

Mr. Champagne asked if a cost estimate had been received from The Laberge Group for the completion of the fatal flaw study and Mrs. Nenninger responded that it would cost \$116,163. Jim Clarke, of The Laberge Group, interjected that the total amount had been broken down into phases for the completion of the study. Mr. VanNess explained that the County had requested The Laberge Group to proceed on a step by step basis, so that if a fatal flaw had been determined, it could be rectified prior to proceeding to the next step. Mrs. Nenninger noted that Resolution No. 220 of 2008 had included a schedule of the study, which had been set up to include milestones. She added that the regulatory feasibility and sketch plans phase totaled \$48,906 and the site analysis and concept plan phase totaled \$67,257, which made the total cost of the studies \$116,163. She said that this represented that amount that had been anticipated to complete the regulatory review and to determine if the site would meet all of the regulatory requirements.

Mr. Taylor inquired as to why Warren County would voluntarily impose a limitation of the Airport and Mr. VanNess responded that Mr. DeGraw had done an extensive review of the future needs of the Airport and had determined that the construction of the ESTC would not have an impact on the needs of the Airport for at least the next 20 years. He stated that in 2007 Emergency Medical Services (EMS) calls for Warren and Washington County had been approximately 13,000 for each county. He apprised that 98% of the EMS Technicians and Firefighters were volunteers and added that he felt it was important to deal with the future training of these volunteers, to ensure their personal safety. He stated that there

were currently no future plans to enlarge the Airport that would involve the parcels in question and added that FAA approval would be necessary prior to any extension of the runway.

Mr. Taylor stated that he was in favor of the ESTC; however, he added, he was concerned with committing Airport property for that purpose. Mr. VanNess noted that there were future plans for a large box store to be constructed adjacent to the Airport. Chairman Monroe questioned how far the runway could be extended if the ESTC was not constructed on the property and Mr. DeGraw responded that it would depend on the development of the other properties surrounding the Airport. Chairman Monroe questioned if the deed to the property would be jointly owned by both counties and Mrs. Nenninger responded that the specifics of how the deed would be established had not been finalized; however, she added, Washington County had indicated that since they would be 50% partners in the expenditures, they would prefer to have partial ownership of the property, as well. Chairman Monroe apprised that if Warren County retained full ownership of the property, they would have more control over future expansion of the Airport. Mr. VanNess stated that there had been discussions between Warren and Washington Counties pertaining to Washington County compensating Warren County for back taxes on the property.

Mr. VanNess expounded that the \$400,000 grant that had been received for the completion of the ESTC was an inter-municipal grant with \$200,000 awarded to each county. He added that he was sure that there would be stipulations as to ownership of the property as part of the grant funding. Mrs. Nenninger reiterated that the determination of the deed ownership had not been finalized. Chairman Monroe apprised that joint ownership could be established with a time limit of 30 years, for example. Mr. Bentley noted that all of the other proposed sites for the ESTC had resulted in public opposition and added that since no public opposition had been expressed for this site, he felt Warren County should move forward with the plans for the ESTC.

Mr. Belden called the question and the motion was carried unanimously to amend Resolution No. 337 of 2002, removing tax map parcels 303.16-1-1 and 303.12-1-1 in the Town of Queensbury from the list of parcels designated as set aside for Airport purposes and considered part of the Airport, subject to final approval of the parcels as the site for the Emergency Services Training Center. *The necessary resolution was authorized for the July 18, 2008 Board meeting.*

Mr. VanNess stated that he would ensure that both Committees were kept informed of the progress. Charles Mellon, Jr., Co-Chairman of the Warren Washington Counties Emergency Services Training Center Committee (WWCESTCC), apprised that the other issue that the WWCESTCC had concerned

the inter-municipal agreement. Mrs. Nenninger explained that there was a resolution with both counties authorizing the execution of an agreement. She added that a draft of the agreement had been prepared a few months ago, which had been based on the original resolutions, which had been reviewed and approved by Washington County's Public Safety Committee. She noted that a few minor changes were necessary prior to execution of the agreement and that The Laberge Group was ready to proceed with the remaining regulatory reviews.

Mr. Champagne asked when the regulatory reviews would be completed and Mr. Clarke responded that the initial steps of the study were bound by wetlands, flood plains and other natural phenomenon. Mr. VanNess asked for an estimate on the completion of the fatal flaw study and Mr. Clarke responded approximately 60 to 90 days.

As there was no further business to come before the joint Public Works and Public Safety Committees, on motion made by Mr. Bentley and seconded by Mr. Belden, Mr. VanNess adjourned the meeting at 1:58 p.m.

Respectfully submitted,
Charlene DiResta, Legislative Office Specialist